

UNITED STATES GOVERNMENT
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SWISSPORT USA, INC.
Employer

and

Case 29-RC-144512

INTERNATIONAL ASSOCIATION OF
MACHINISTS & AEROSPACE WORKERS, AFL-CIO,
DISTRICT LODGE 15, LOCAL LODGE 447
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

MARK GASTON PEARCE, CHAIRMAN

HARRY I. JOHNSON, III, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., March 26, 2015.

¹ In denying review, we find no merit in the Employer's contention that the petitioned-for unit of cleaners is inappropriate because the bargaining history of the unit dictates that all of the Employer's ramp agents also must be included in the unit. Although the Petitioner's most recent collective-bargaining agreement with the Employer's predecessor, Servisair, covered ramp agents, Servisair had not employed any ramp agents since 2013, approximately 2 years before the petition was filed. In those circumstances, we find that the Employer has not demonstrated that the Regional Director erroneously accorded bargaining history less weight. Last, we observe that in *Freeman*, 16-RC-070839, 16-RC-070942 (Feb. 13, 2012), cited by the Employer, the issue of the weight to be given to bargaining history was never presented to or addressed by the Board.

Member Johnson finds the petitioned-for unit appropriate under the Board's traditional community-of-interest analysis. Accordingly, under the circumstances of this case, Member Johnson finds no need to express a view whether *Specialty Healthcare and Rehabilitation Center of Mobile*, 357 NLRB No. 83 (2011), enfd. sub nom. *Kindred Nursing Centers East, LLC v. NLRB*, 727 F.3d 552 (6th Cir. 2013), was correctly decided and correctly applied here.